

Notice of Allowability

Application No.

09/800,505

Examiner

Michael J. Simitoski

Applicant(s)

KOTANI ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response of 8/24/2007.
2. ☒ The allowed claim(s) is/are 1, 5-6, 9-18 & 20-28.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20070904.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


KAMBIZ ZAND
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1. The response of 8/24/2007 was received and considered.
2. Claims 1, 5-6, 9-18 & 20-28 are pending.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas McKiernan on 9/4/2007.

The application has been amended as follows:

Please REPLACE CLAIM 10 with the following text:

10. The information management method of claim 1, wherein if said license information is encrypted and stored in said user-use area, said license information is decrypted using said apparatus-specific information specific to an apparatus that drives said recording medium or said key generated therefrom and said medium-specific information or said key generated therefrom, and said license information stored in said secure area is updated.

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4. Claims 1, 5-6, 9-18 & 20-28 are allowed.
5. The following is an examiner's statement of reasons for allowance:
 - a. Regarding claim 1, **Sims** discloses an information management method managing information of a recording medium (disk, Fig. 1, #100) by an information management apparatus (disk reader), the recording medium having medium-specific information (media public key, ¶195) and comprising a user-use area (unprotected area 102) allowing writing and read out of arbitrary information in accordance with external instructions (¶133) and a secure area (protected storage area 101) that is not subject to control by external instructions (¶133 & ¶140), said information management apparatus having a write and read out means (player 150/content provider, ¶138, ¶195 & Fig. 1) writing the arbitrary information to and reading the arbitrary information from said user-use area (¶189) and a predetermined information deriving means deriving the predetermined information (disk key, ¶195) stored in the secure area (¶185), comprising storing an encrypted electronic data (content) to the user-use area of the recording medium as the arbitrary information (¶186 & ¶189), storing license information based on use rights for using the encrypted electronic data stored in the user-use area (disk key, ¶181) to the secure area of the recording medium as the predetermined information (¶185), deriving (extracting) the license information (disk key) outside said secure area of the recording medium (by media device) and encrypting the license information stored in the secure area using medium-specific information (encrypt with media public key, ¶197) or a key generated therefrom (acceptable user's public key, ¶197; the medium-

specific disk key is used, in conjunction with the clearing house/provider to generate the acceptable user key, which is then used to encrypt the disk key, ¶195), and storing the encrypted license information (disk key) to the user-use area or other recording medium (stored at the provider for use, ¶195). **However, the prior art relied upon fails to teach or suggest encrypting and storing license information to the user-use area, decrypting the encrypted license information using the medium-specific information or a key generated therefrom, and updating the license information stored in said secure area, in combination with the other elements of the claim. Claims 5-6, 9-17 & 27 are indicated allowable based on their depending from claim 1.**

b. Regarding claim 18, Sims discloses an information management apparatus (media player 120 and media device 110, called player (¶138 & Fig. 1)) having medium-specific information (public key of acceptable user, ¶197) and comprising a user-use area (unprotected area 102, ¶133) allowing writing and reading out of arbitrary information in accordance with external instructions (¶134) and a secure area 101 that is not subject to control by external instructions (¶133; see also Fig. 1), said information management apparatus managing information (disk key) of a recording medium wherein license information based on use rights (disk key) for said arbitrary information (content) stored in said user-use area is stored in said secure area (secure area 101, ¶133, ¶140 & ¶185), said information management apparatus (player 150/content provider, ¶138 & Fig. 1) comprising write and read out means (media device 110/content provider, Fig. 1 & ¶134) writing said arbitrary information to and reading said arbitrary information from said

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user-user area (area 102, Fig. 1 & ¶134) and predetermined information deriving means (media device 110 and media player 120, Fig. 1) encrypting said license information (content key/disk key, ¶197) stored in a secure area (area 101, Fig. 1 & ¶197) using said medium-specific information or a key generated therefrom (public key of acceptable users, ¶197), deriving (extracting) said encrypted license information (content key/disk key, ¶197) outside said secure area (in play-back device) and storing the encrypted license information in the user-use area of the recording medium or another recording medium (provider, ¶197). **However, the prior art relied upon fails to teach or suggest storing encrypted license information by the write and read out means in said user-use area, in combination with the other limitations of the claim. Claims 18, 20-26 & 28 are indicated allowable based on their depending from claim 18.**

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Simitoski whose telephone number is (571) 272-3841. The examiner can normally be reached on Monday - Thursday, 6:45 a.m. - 4:15 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

September 4, 2007
MJS
/MJS/


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